

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BILLINGS DIVISION

FILED

SEP 01 2017

Clerk, U.S. District Court
District Of Montana
Billings

GREGORY L. WALLACE,

Plaintiff,

vs.

CCCS, INC., et al.,

Defendants.

CV 17-83-BLG-SPW

ORDER ADOPTING
MAGISTRATE'S FINDINGS
AND RECOMMENDATIONS

Before the Court are United States Magistrate Judge Timothy Cavan's Findings and Recommendations filed on August 17, 2017. (Doc. 6). Judge Cavan recommends that this Court deny Plaintiff Gregory Wallace's motion for leave to proceed in forma pauperis. (Doc. 1).

Pursuant to 28 U.S.C. § 636(b)(1), the parties were required to file written objections within 14 days of the filing of Judge Cavan's Findings and Recommendations. No objections were filed. When neither party objects, this Court reviews Judge Cavan's Findings and Recommendations for clear error. *McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc.*, 656 F.2d 1309, 1313 (9th Cir. 1981). Clear error exists if the Court is left with a "definite and firm conviction that a mistake has been committed." *United States v. Syrax*, 235 F.3d

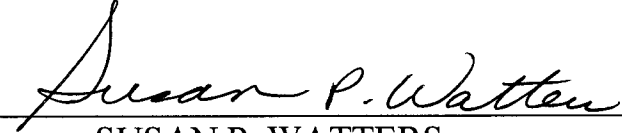
422, 427 (9th Cir. 2000). After reviewing the Findings and Recommendations, this Court does not find that Judge Cavan committed clear error.

IT IS ORDERED that the proposed Findings and Recommendations entered by United States Magistrate Judge Cavan (Doc. 6) are ADOPTED IN FULL.

IT IS FURTHER ORDERED that Plaintiff Wallace's motion for leave to proceed in forma pauperis (Doc. 1) is DENIED pursuant to Local Rule 3.1(d)(4).

IT IS FURTHER ORDERED that this matter shall be closed if Wallace fails to pay the \$400.00 filing fee within 21 days of this Order.

DATED this 1st day of ~~August~~ ^{Sept.}, 2017.



SUSAN P. WATTERS
United States District Judge